

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

QUIGLEY CORPORATION,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
TED KARKUS, et al.,	:	
Defendants	:	NO. 09-1725

ORDER

AND NOW this 15th day of May 2009, upon consideration of the Motion to Dismiss filed by Defendants Ted Karkus, Mark Burnett, John DeShazo, Louis Gleckel and Mark Leventhal (together “Karkus Defendants”) (Doc. No. 12) and Defendant Ligums’ Motion to Dismiss (Doc. No. 18) as well as related responsive pleadings; Plaintiff’s Motion for a Preliminary Injunction (Doc. No. 27) as amended, and Defendants’ Response (Doc. No. 32); and Karkus Defendants’ Emergency Motion to Compel (Doc. Nos. 33, 34) and Plaintiff’s Response (Doc. No. 35), and following oral argument on May 7, 2009 and an evidentiary hearing May 14, 2009, it is HEREBY ORDERED that:

- 1) The Karkus Defendants’ Motion to Dismiss (Doc. No. 12) and Defendant Ligums’ Motion to Dismiss (Doc. No. 18) are DENIED as to Plaintiff’s claims relating to Mr. Ligums’ alleged participation in the Karkus Defendants’ proxy solicitation, but remain held in abeyance as to other issues and claims;
- 2) As explained in more detail in the accompanying Memorandum, Plaintiff’s Motion for a Preliminary Injunction (Doc. No. 27) is DENIED, and the Court will NOT require the Karkus Defendants to amend their Schedule 13D and proxy

materials to include Defendant Ligums as part of their group, and will NOT enjoin the Karkus Defendants from soliciting proxies in absence of making any type of disclosure; and

- 3) The Karkus Defendants' Emergency Motion to Compel Adoption of Election Procedures (Doc. No. 33) is GRANTED in that the Quigley Corporation must provide its shareholder list to counsel for Defendant Karkus by 7 p.m. EDT Friday, May 15, 2009, but is DENIED as MOOT in all other respects.

BY THE COURT:

S/Gene E.K. Pratter
GENE E. K. PRATTER
UNITED STATES DISTRICT JUDGE